IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 19457 of 2006

Date of Decision : 08.12.2006

Gurdas Ram Bansal ... Petitioner

Versus

State of Punjab and others. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. Tribhawan Singla, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

The claim of the petitioner is for an increment on his promotion from the post of Chief Pharmacist Grade II to the post of Chief Pharmacist Grade I. In order to claim of the aforesaid increment, the petitioner is stated to have submitted a representation dated 03.01.2002, followed by a legal notice dated January, 2006 (Annexure P-3). It is, however, pointed out that no decision has been taken either on the representation submitted by the petitioner, or on the legal notice issued, on his behalf. Learned counsel for the petitioner, however, states that the petitioner will be satisfied, if the instant writ petition is disposed of, with a direction to respondent No.2 i.e. the Director, Health and Family Welfare, Punjab, requiring him to take a final decision on his legal notice issued in January 2006 (Annexure P-3).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate General, Punjab, accepts notice on behalf of respondent Nos. 1 to 4. Learned counsel for the respondents states, that he has no objection to the disposal of

the instant writ petition in terms of the prayer made by the learned counsel for the petitioner.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.2 i.e. the Director, Health and Family Welfare, Punjab, to take a final decision on the legal notice issued on behalf of the petitioner in January 2006 (Annexure P-3), by passing a well reasoned speaking order, within three months from the date of receipt of the certified copy of the order. In case the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to the petitioner, within a further period of one months. It is, however, clarified that the petitioner will be entitled to the arrears limited to a period of three years and two months preceding the date of filing of the instant writ petition. It is also clarified that the instant writ petition was filed on 7.12.2006.

Disposed of accordingly,

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge

December 08, 2006
vkd

(S.D. Anand)
Judge